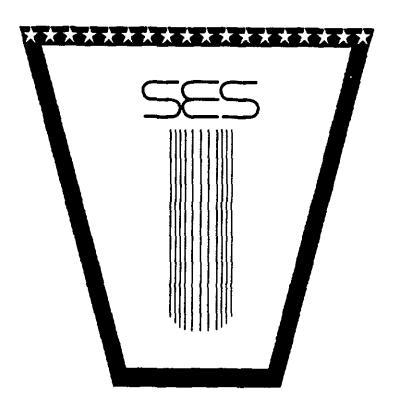


## OFFICE OF THE SECRETARY OF DEFENSE

# SENIOR EXECUTIVE SERVICE RECERTIFICATION



Office of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff and the Joint Staff, the U.S. Mission to NATO, the Defense Agencies, and the DoD Field Activities

SENIOR EXECUTIVE SERVICE
RECERTIFICATION

#### OFFICE OF THE SECRETARY OF DEFENSE



WASHINGTON, DC 20301

DoD 1402.3-H Chapter 11

April 1991

#### **FOREWORD**

The Senior Executive Service Handbook is issued under the authority of DoD Directive 1402.3, "Admi nitration of the Senior Executive Service Program in the Office of the Secretary of Defense and the Defense Agencies, " August 16, 1984.

The purpose of this new chapter is to provide information to Senior Executive Service (SES) members and management officials on SES **recerti** fi cation.

This chapter applies to the Office of the Secretary of Defense (OSD), the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Uni formed Services University of the Health Sciences, the U.S. Mission to NATO and the NATO International Staff and operating agencies, the Defense Agencies (except for the Defense Intel 1 i **gence** Agency and the National Security Agency/Central Security Service), and the DoD Field Activities. For this chapter, the Defense Advanced Research Projects Agency is considered a sub-unit of the Office of the Under Secretary of Defense (Acquisition); the Defense Security Assistance Agency and the Defense Investigative Service are considered sub-units of the Office of the Under Secretary of Defense for Policy; and the Defense Legal Services Agency is considered a sub-unit of the Office of the General Counsel of the Department of Defense.

This chapter is effective immediately, and its use is mandatory.

Send recommended changes through channels to:

Executive Personnel and Classification Division Directorate for Personnel and Security Washington Headquarters Services Room 3C444, The Pentagon Washington, DC 20301-1155

OSD Components may obtain copies of this chapter from OSD Publications, Room 3B960, The Pentagon.

D. O. Cook

Di rector

# CHAPTER 11 SES RECERTIFICATION

## TABLE OF CONTENTS

1.	INT	RODUCTI ON
	A.	Purpose
	В.	Definitions
	С.	Coverage
	D.	When Recertification Takes Place
	E.	Relation of Performance Planning and Evaluation to Recertification
II.	STA	NDARD FOR RECERTIFICATION
	A.	Standard for Recertification
	В.	Basis for Recommendations and Determinations
111.	CO	NDUCTING THE RECERTIFICATION PROCESS
	A.	Introducti on
	В.	Supervisor and Career Appointee
	С.	Reviewing Official
	D.	Performance Review Board
	E.	Deciding Official
	F.	Records
IV.	CON	DITIONAL RECERTIFICATION
	A.	Status of Conditionally Recertified Career Appointee 11-10
	В.	End of Conditional Recertification
V.	REM	OVAL FOR FAILURE TO BE RECERTIFIED
	A.	Written Notice
	В.	Moratorium on Removals
		<u>APPENDIX</u>
A.	PER	REFORMANCE APPRAISAL/RECERTIFICATION CHECK LIST/ DETAILED INSTRUCTIONS

### REFERENCES

- (a) Section 506 of **Public** Law 101-194, "Ethics Reform Act of 1989," November 30, 1989
- (b) Parts 213, 317, 359, and 842 of title 5 of the Code of Federal Regulations

#### CHAPTER 11 SES RECERTIFICATION

#### 1. INTRODUCTION

#### A. PURPOSE

Under Section 506 of the Ethics Reform Act of 1989 (Pub. L. 101-194, November 30, 1989) as further regulated in 5 CFR Parts 213, 317, 359, and 842, and amplifying guidance from the Office of Personnel Management, Senior Executive Service (SES) career appointees are subject to recertification by their agencies every third year, beginning in calendar year 1991. The Act adds section 3393a to title 5 of the U.S.C. The section states that recertification is intended: "to ensure that the performance of career appointees demonstrates the excellence needed to meet the goals of the Senior Executive Service, as set forth in section 3131..."

Thus, the Act aims at ensuring that the career members of the SES represent the best that this country has to offer in managing the public's business. It establishes a recertification process that goes beyond the annual performance appraisal, which remains as one of the essential features of the SES, to look at how the executive has performed over a period of several years and whether the executive's overall performance during that period has demonstrated the excellence expected of a senior executive. It is intended to enhance the performance of the SES, to set a standard of excellence for members of the SES, and to ensure that executives remain in the SES only when they perform at the expected level of excellence.

#### B. DEFINITIONS

- 1. <u>Defense Agencies</u>. For purposes of this chapter, Defense Agencies are those with performance review boards (PRB's) including the Defense Communications Agency, Defense Contract Audit Agency, Defense Finance and Accounting Service, Defense Logistics Agency, Defense Mapping Agency, and Defense Nuclear Agency. Other organizations with their own PRB's will also be included.
- 2. OSD. For purposes of this chapter, this term (i.e., the Office of the Secretary of Defense) includes the OSD Components and the Defense Agencies.
- 3. <u>OSD Components</u>. For purposes of this chapter, this term is defined as organizations supported by Washington Headquarters Services including: the OSD, the Chairman of the-Joint Chiefs of Staff and the Joint Staff, the Strategic Defense Initiative Organization, the Uniformed Services University of the Health Sciences, the U.S. Mission to NATO, the NATO International Staff and operating agencies, and the DoD field activities. Currently, the Defense Advanced Research Projects Agency is considered a sub-unit of the Office of the Under Secretary of Defense (Acquisition); the Defense Security Assistance Agency and the Defense Investigative Service are considered sub-units of the Office of the Under Secretary of Defense for Policy; and the Defense Legal Services Agency is considered a sub-unit of the Office of the General Counsel of the Department of Defense for appraisals of Defense Agency General Counsels. Other Defense Agency counsels are subject to the PRB of the Agency on whose roles they are appointed.

4. <u>OSD Component Head.</u> For purposes of this chapter, this term incl udes the Deputy Secretary of Defense (for career appointees reporting directly to him); Chairman of the Joint Chiefs of Staff; Under Secretaries of Defense; Assistant Secretaries of Defense not reporting through Under Secretaries; Comptrol 1 er of the Department of Defense; General Counsel of the Department of Defense/Director, Defense Legal Service Agency; Director, Operational Test and Evaluation; Assistants to the Secretary of Defense; and the President of the Uniformed Services University of the Health Sciences. The Defense Advisor to the U.S. Mission to NATO assumes this role for individuals assigned to the U.S. Mission. The international supervisors of all other SES members assigned to NATO assume this role for these members unless an exception has been approved by the Director, Administration and Management, Office of the Secretary of Defense, to ensure that the objectives of this plan are achieved.

#### c. COVERAGE

To be subject to recertification in the OSD, an executive must be an SES career appointee in an OSD Component or Defense Agency on June 30, 1991, or at the close of each recertification period thereafter (e. g., June 30, 1994; June 30, 1997), and must have been continuously employed in the SES for the preceding 156 weeks (i. e., 3 years), except that breaks in SES service totaling 6 months or less are not considered to interrupt the continuous The 156 weeks include any combination of service as an SES career, noncareer, or 1 imited appointee. The 156 weeks also include SES service in any Federal Executive Agency as long as the executive is on OSD component or Defense Agency rol 1s at the end of the recertification period (e.g., on June 30, 1991). Executives who do not meet these criteria at the end of a recertification period are not subject to recertification until the end of the next cycle (i ●., the recertification period IS NOT EXTENDED to complete 156 weeks although the performance appraisal period is extended to complete 90 days).

SES noncareer and 1 imited appointees and former SES career appointees who took Presidential appointments with Senate confirmation to positions at Executive Level V or higher and elected to retain SES benefits are not subject to recertification. If a career appointee is recertified in another agency and then transfers to the OSD during the recertification period, the appointee is not subject to recertification in the OSD.

If a career appointee who meets the recertification coverage criteria transfers from another agency to the OSD before the end of a recertification year (e.g., by December 31, 1991) and a recertification determination has not been made, the appointee is subject to recertification in the OSD. The recertification recommendations and determination would need to be based on performance, awards and recognition, development activities, and other relevant qual itative factors, if appropriate, that occurred while the appointee was employed at the losing agency and would depend on information provided by the losing agency and the appointee. The same recertification procedures must be followed as are **fol** lowed for covered appointees who are in the OSD on June **30** of the recertification year.

#### D. WHEN RECERTIFICATION TAKES PLACE

Career appointees in the OSD on June 30 of the years in which recertification occurs (e.g., 1991, 1994), covered in accordance with section C., above, are subject to recertification following the process described in this chapter at the same time that the final steps of the SES Performance Planning and Evaluation process are completed. (See chapter 4 for a description of the Performance Planning and Evaluation process.) At the time the evaluation phase of the performance appraisal is undertaken, the recertification evaluation takes <code>place.</code> The Performance <code>Planning</code> and Evaluation form, <code>DD</code> Form 2206; is completed concurrent y with the OSD Senior Executive Service Recertification form, <code>DD</code> Form 2573. Both processes must be completed before the end of the calendar year.

#### E. RELATION OF PERFORMANCE PLANNING AND EVALUATION TO RECERTIFICATION

Performance planning and evaluation is a continuing year-long process underpinning the SES. Performance ratings and bonuses have an impact on pay level change decisions, Presidential rank award nomination decisions, and many other aspects of the administration of the SES. Starting in 1991, performance ratings and bonuses are also factors in the recertification process.

The performance planning and evaluation process in 1991 and ensuing recertification years must be completed before **final** recertification determinations can be made. Therefore, if the result of the performance rating is to remove the senior executive from the SES, the recertification becomes moot and the recertification process is terminated.

#### II. STANDARD FOR RECERTIFICATION

#### A. STANDARD FOR RECERTIFICATION

To be recertified, the career appointee must perform at the 1 evel of excellence expected of a senior executive. Excellence means that the executive has demonstrated over the recertification period that he or she has achieved excellence in (subsections 1. though 4. are mandatory):

- 1. Planning for, substantially advancing **and** attaining, Presidential, agency, or organizational goals and objectives that required a sustained superior effort;
- 2. Taking specific initiatives that advance a major policy and/or significantly improved **del** i very of services;
- 3. Taking the necessary actions to ensure the achievement of a quality product in a timely manner;
- 4. Making significant **techn** cal, scientific, or professional contributions;
- and, as appropriate (subsections 5. through 7. must be applied when they are pertinent to the appointee's **pos** tion and performance plan),
- 5. Achieving substantial savings in the execution of programs under his or her direction;
- 6. Maintaining the high quality and effectiveness of a program under his or her direction with reduced resources; and/or
- 7. Providing strong leadership to enhance the development, utilization and achievements of subordinate personnel, including achievement of equal employment opportunity goals.

#### B. BASIS FOR RECOMMENDATIONS AND DETERMINATIONS

Recertification decisions may not automatically be the result of a single factor (e.g., receipt of three Fully Successful ratings or a rank award in 1990), but are to be based on the following factors (it is NOT necessary to meet al 1 the factors, but each should be considered to the extent relevant):

- 1. Performance ratings for the three years of the recertification period (e.g., in 1991 the ratings for 1989, 1990, and 1991 are to be taken into account);
- 2. Awards and other recognition which may largely consist of the SES performance awards (bonuses) and Presidential rank awards, though it should be recognized that less than half of the career appointees can receive such an award each year. Other Government awards and awards from outside the Government should also be considered. Awards recognizing performance over

a period of years that are received during the recertification period, even though some of the achievements recognized may have occurred before the recertification period, are included. Also included are awards received after the recertification period, but before the recertification determination, if the award recognizes performance that took place during the recertification period.

- 3. Any developmental activities of the appointee. These include professional, educational, or self-developmental activities. Supervising officials should consider-such factors as" funding avail ability and the stage of the appointee's career (i ●., long-term executive vs. newly appointed executive) when eval uating the extent to which a career appointee participated in developmental activities.
- 4. Other relevant qualitative factors. For other relevant qualitative factors to be considered in determining if career appointees in the OSD or any of the Defense Agencies meet the standard for **recertification** in any recertification year, the following steps must be taken:
- a. The factors must apply, if appropriate, to all career appointees covered by a PRB (e.g., all reviewed by the OSD PRB or all reviewed by one of the Defense Agency PRB's)
  - b. The factors must be written.
- c. The written policy establishing the factors must be distributed to all affected career appointees **before** the recertification process begins that year.

#### III. CONDUCTING THE RECERTIFICATION PROCESS

#### A. I NTRODUCTI ON

This chapter of the OSD SES Handbook was developed in consultation with career appointees in the OSD (including the Defense Agencies) and then approved by the Office of Personnel Management (OPM). Copies of this chapter, as well as all the other chapters and any changes in any of the chapters, are to be distributed to all SES members in the OSD. Reports on the recertification process in the OSD will be made, as required, to the OPM.

Before the beginning of each recertification determination process, executives who supervise career appointees, and members of **PRB's**, will be given training on the objectives and procedures of the recertification process.

#### B. SUPERVISOR AND CAREER APPOINTEE:

As with the performance planning and evaluation process, the recertification process will follow steps on a form. All the steps taken in making recertification decisions are to be documented on the OSD Senior Executive Service Recertification form, DD Form 2573. A Check List/Detailed Instructions is available (see Appendix A) and should be used by OSD Components before submitting the SES performance planning and evaluation and recertification forms to the OSD PRB through the Executive Personnel and Classification Division, Personnel and Security Directorate, Washington Headquarters Services. This Check List/Detailed Instructions can also be used in the Defense Agencies. Careful use of the Check List/Detailed Instructions should prevent errors and make the process work correctly and easily.

The first step in the recertification process is for the career appointee's immediate supervisor to make a recommendation as to whether the appointee should be recertified, conditionally recertified, or not recerti fi ed. (The supervisor of record is responsible for the recertification of an appointee on detail .) There is no minimum length of time that an official must serve as a career appointee's supervisor before making a recertification recommendation. The supervisor should show on the form whether standards 5, 6, and/or 7 are applicable to the responsibilities Performance ratings for the previous 2 years and SES of the appointee. bonuses and Presidential rank awards will be on the form when the supervisor receives it but the supervisor is responsible for checking the accuracy of The additional factors that must be entered on the form by the information. the supervisor incl ude the recommended rating for the current performance year (e.g., July 1, 1990 to June 30, 1991), any significant awards in addition to SES bonuses and Presidential rank awards, any developmental activities of the appointee, and any other relevant qual itative factors All material supporting the supervisor's recommendation, establ i shed. whether the recommendation is to recertify, conditionally recertify, or not to recertify the SES member, must only cover the previous 3 years (e.g., July 1, 1988 to June 30, 1991). The recommendation shall be based on the appointee's overall performance during these 3 years.

If the supervisor is recommending that the career appointee be conditionally recertified or not recertified, the supervisor must put the reason in writing. The reason should be specific enough so that the appointee will be able to understand why the action was taken and should be adequate to support the OSD case if the appointee appeals a removal action to the Merit Systems Protection Board (MSPB). If recommending conditional recertification, the supervisor may also make a recommendation to lower the appointee's pay one level. The supervisor must then meet with the career appointee and give the appointee a copy of the recommendation. The appointee has 7 calendar days in which to prepare a written response. While all appointees have the opportunity to respond, it is encouraged by those that the supervisor recommends be conditionally recertified or not recertified and is not necessary for other appointees. The response will be attached to the form and become part of the permanent file. Before the form goes to the OSD Component Head or equivalent Defense Agency official, it may go through a second-level review if one has been designated by the Component Head or Defense Agency official or requested by the appointee (for some appointees, there may not be a second level manager between the supervisor and the Component Head or Defense Agency official).

#### c. REVIEWING OFFICIAL

The "reviewing official" is the Component Head for career appointees reviewed by the OSD PRB 1/ and the equivalent Defense Agency official for appointees reviewed by Defense Agency PRB's (for some appointees, the reviewing official is also the supervisor). The reviewing official must consider all the written information provided and document a recertification recommendation on the form. If the supervisor made a recommendation to recertify the career appointee and the reviewing official is making a recommendation to conditionally recertify or not to recertify the career appointee, the reasons must be put in writing, in the same manner as described for the supervisor, and the appointee must be given the written statement and 7 calendar days to provide a written response. reviewing official's recommendation endorses the supervisor's recommendation, this must be entered on the recertification form but additional reasons need not be provided unless the reviewing official The reviewing official may also recommend or endorse a desires to do so. recommendation to lower the appointee's pay one 1 evel if the recommendation is to conditionally recertify.

#### D. PERFORMANCE REVIEW BOARD

The OSD PRB's are discussed in detail in chapter 5 of the SES Handbook. This chapter provides that more than one-half of the membership of any PRB or any PRB panel reviewing the performance appraisal of a career appointee shall be career appointees in the SES and that members may not participate in the review of their own performance ratings, those that they have written or reviewed as a supervisor, or those of executives to whom they are directly subordinate. The same PRB that reviews the performance of the

<sup>1/</sup>In addition to making recommendations concerning the recertification of career appointees of the OSD Components, the OSD PRB makes recommendations for career civilian Directors, Deputy Directors, and General Counsels of Defense Agencies, and other career appointees identified on a case-by-case basis.

career appointees will make recommendations concerning their recertification. If a PRB needs more information to make a recommendation about recertification, it may request additional documentation from the supervisor or request that the supervisor appear before the PRB.

If a PRB proposes to recommend that a career appointee be conditionally recertified or not recertified, the appointee **shall** be notified in writing and given 7 calendar days to prepare (additional) written material or to request an appearance before the PRB (i.e., every appointee whom the PRB recommends be conditionally recertified or not recertified will have had an opportunity to appear before the **PRB**). The meeting of the PRB with the affected career appointee may be scheduled as soon as is convenient after the appointee's request to appear is received, once 7 days have elapsed since the first notification.

If a PRB recommends that a career appointee be conditionally recertified or not recertified and the supervisor and the reviewing official have recommended recertification, the PRB's reason must be put in writing (similarly, if the supervisor and the reviewing official have recommended that an appointee be conditionally recertified or not recertified and the PRB recommends recertification, the PRB's reason must be put in writing). The reason for recommending that the appointee be conditionally recertified or not recertified should be able to support the OSD case if the appointee appeals a removal action to the MSPB. If a PRB recommends conditional recertification, it may make a recommendation to lower the appointee's pay one level.

The recommendations of the PRB will be documented on the recertification for-m. If a PRB recommends that a career appointee be recertified, it may also recommend that the appointee's pay level be raised. If a PRB makes such a recommendation, the information will be attached to the recertification form.

#### E. DECIDING OFFICIAL

For career appointees reviewed by the OSD PRB, the "deciding official" who will make the **final** determination as to whether a career appointee shall be conditionally recertified or not recertified and whether the pay of those conditionally recertified should be lowered one level, is the Secretary of **Defense.1**/ The Secretary of Defense has delegated the authority to make the final determinations (i.e., be the deciding official) as to whether career appointees reviewed by the OSD PRB shall be recertified to the Director, Administration and Management, Office of the Secretary of Defense. The Secretary of Defense has delegated the authority to make determinations to recertify, conditionally recertify, or not recertify career appointees reviewed by Defense Agency PRB's to the Defense Agency Directors, so for these appointees the deciding official will be the appropriate Defense Agency Director.

Throughout this chapter, "Secretary of Defense" **should** be taken to mean **Secretary** of Defense or Deputy Secretary of Defense except in the case of the 120-day moratorium referred to in section B. on page 11-11.

The appointee is not provided an opportunity to make a further presentation in writing or in person to a dec'iding official. Deciding officials will make recertification determinations for each career appointee subject to recertification based upon the documentation and not based on any predetermined number or percentage of appointees who should be recertified, conditionally recertified, or not recertified. The documentation includes the OSD SES recertification form (DoD Form 2573) and any attachments from the supervisor, appointee, reviewing official, and PRB.

A decision must be made about the current year's (e.g., 1991) performance rating and any bonus payment before a recertification determination can be made. Therefore, the OSD PRB's recommendations about performance ratings and bonuses will be sent to the Secretary of Defense for final determination before the OSD PRB recertification recommendations are sent to the Di rector, Administration and Management, Office of the Secretary of Defense (DA& M, OSD). The DA&M, OSD, must consider the current performance rating and bonus decisions of the Secretary of Defense before making decisions to recertify career appointees. The DA&M, OSD, makes recommendations to the Secretary of Defense to conditionally recertify or not recertify career appointees and , if the recommendation is to conditionally recertify, whether the appointee's pay should be lowered one level. These recommendations are made in a cover memorandum to the Secretary of Defense and not on the recertification form.

The recertification determination and any decision to lower the pay of any appointee conditionally recertified **must** be entered on the recertification **form.** 

If the deciding official determines that the career appointee shal 1 be recertified, the appointee shall continue in the SES. Further, the appointee's rate of" basic pay may not be reduced at the time of recertification. The actions following a determination to conditionally recertify or not recertify a career appointee are described in IV. and V., below.

#### F. RECORDS

Recertification documentation **shall** be maintained in the career appointee's Employee Performance Folder (EPF) in accordance with Office of Personnel Management instructions. Maintenance of the EPF's is described in Appendix B of chapter 4 of this SES Handbook.

#### IV. CONDITIONAL RECERTIFICATION

#### A. STATUS OF CONDITIONALLY RECERTIFIED CAREER APPOINTEE

If a career appointee is conditionally recertified, the appointee:

- 1. Must be notified in writing of **his or** her status and the actions that will follow and be provided with a copy of the recertification form and supporting documentation.
  - 2. Remains a career appointee in the SES.
- 3. If so determined by the deciding official, will have his or her pay lowered one level (once 12 months have elapsed since the appointee's last pay level adjustment).
- 4. Must have a performance improvement plan, developed by the appointee's supervisor in consultation with the appointee and approved by the appropriate Executive Resources Board (ERB) or an executive development committee of the ERB. (Chapter 1 of this SES Handbook discusses ERB's). The performance improvement plan should include a description of the deficiencies in the appointee's performance, what constitutes satisfactory completion of the plan, a statement of the support and assistance to be provided by the supervisor, and any formal training planned. The improvement plan shall conform with the performance standards for the performance year (e.g., July 1, 1991, to June 30, 1992). The plan should be in place no later than 60 days after the determination to conditionally recertify the appointee and periodic progress review discussions shall be held and documented at least every 120 days.
  - 5. Does not have a right to appeal to the MSPB.

#### B. END OF CONDITIONAL RECERTIFICATION

At the end of 12 months following conditional recertification, a new recertification determination must be made according to the same process that resulted in the initial determination to conditionally recertify the career appointee. The appointee is entitled to see any documentation to be used in the new determination. At this time, only two determinations are possible: the appointee must be either recertified or not recertified.

If the appointee is recertified, he or she shall remain a career appointee in the SES. If the appointee's pay was lowered one level, it shall be restored as of the beginning of the first pay period following recertification provided that at least 12 months have elapsed since the pay reduction. The appointee's next recertification period starts at the time he or she was initially conditionally recertified.

If the appointee if not recertified, he or she shall be removed from the SES according to the procedures used following an initial determination not to recertify, as described in  $V_{\cdot\cdot}$ , below.

While a new recertification determination may be made only after the 12 months have elapsed, an appointee may be removed under the annual performance removal procedures, if appropriate, as long as the appointee has served the minimum appraisal period of 90 days.

#### v. REMOVAL FOR FAILURE TO BE RECERTIFIED

If the determination is that a career appointee shall not be recertified, the appointee shall be removed from the SES in accordance with 5 U.S.C. 3592 and Subpart C of 5 CFR Part 359, except that reemployed annuitants shall be removed in accordance with Subpart I.

#### A. WRITTEN NOTICE

The appointee shall be notified in writing before the effective date of the action. If the appointee has completed the SES probationary period, or was not required to serve a probationary period, the notice shall be at least 30 calendar days before the effective date of the removal from the SES. An appointee serving a probationary period must receive a written notice at least 1 day in advance.

The notice shall include the completed recertification determination form and supporting documentation and **shall** advise the appointee of:

- 1. The basis for the action.
- 2. The appointee's placement rights provided under 5 CFR 359.701-705. The position to which the appointee will be assigned shall be identified either in the origins'l notice or in a supplementary notice issued no later than 10 calendar days before the effective date of the action (1 day if appointee is still serving a probationary period).
- 3. The appointee's right to appeal to the MSPB in accordance with 5 U.S.C. 3592(a)(3) under 5 U.S.C. 7701, including the time limit for appeal, the office to which an appeal should be sent, and that there is no provision for a stay in the removal action pending the **appeal** process.
  - 4. The effective date of the removal from the SES.
- 5. When applicable, the appointee's eligibility for immediate discontinued service retirement instead of placement rights, with no annuity reduction based on age for appointee's covered by the Civil Service Retirement System (CSRS) and eligibility for an annuity supplement regardless of age for appointees covered by the Federal Employees' Retirement System (FERS).

#### B. MORATORIUM ON REMOVALS

According to 5 U.S.C.3592(b)(1), a career appointee in the OSD may not be involuntarily removed from the SES within 120 days after the appointment of a Secretary of Defense, and a career appointee whose performance is reviewed by a Defense Agency PRB also may not be involuntarily removed from the SES within 120 days after the appointment of a noncareer Director of his or her Defense Agency. This applies only to the removal action and does not otherwise delay the recertification process.

#### APPENDIX A

# PERFORMANCE PLANNING AND EVALUATION/RECERTIFICATION CHECK LIST/DETAILED INSTRUCTIONS

For use by OSD Components/Defense Agencies before submitting the Performance Appraisal Form (DD Form 2206) and the SES Recertification Form (DD Form 2573) to the Executive Personnel & Classification Division/Defense Agency personnel office for transmittal to the Performance Review Board

A. <u>Performance Planning and Evaluation</u>, **DD** Form 2206. Must **be** completed for every SES member, regardless of type of appointment, who is on board on June 30 of each performance year.

Steps 1 and 2. Check for coverage, either in a critical element or performance standard, of the items 1 isted below. **EEO/AA** must be covered on every form; other items must be covered where appl icable. Write on the appropriate 1 ine where (e.g., element 1 or standard 2) item is covered. Indicate if not applicable (i. e., "N. A.").

Meeting EEO/affirmative action goals	
Internal Management Control responsibilities	
Discharge of security responsibilities	
Increasing contract awards to minority institutions	
Achieving cost savings/increasing competition in acquisition pro	cess
Resolution of contract audits	
Implementation of Defense Management Report Decisions	
Step 3. Have both SES member and supervisor (rater) signed and dated the acknowledgment of critical elements and standards?	
Step 4. Was a progress review accomplished? Did both SES member and supervisor sign it?	
<u>Step 5.</u> Does each overall ELEMENT have a narrative evaluation and 1 check indicating a rating? EACH STANDARD should NOT have a check.	
Step 6. Has SES member signed & dated Acknowledgment of Evaluation	i?
If a higher-level review was requested, has it <b>been</b> accomplished?	
Part A on Page 1. All identifying items (1, 2, 3, 4, & 6) must be completed? Item 2 must be title of position of record. Item 5 we for example, 900701 to 910630 for executives in SES the entire 1990 performance year; those appointed to SES during the 1990-91 period would have their date of appointment as the "from" date and 910630 date 90 days after appointment (whichever is later) as "to" date. items 1 to 7 correct; is supervisor's signature and date in item 87.	or a Are
Check for a separate supplemental memorandum if <b>bonus</b> recommendation item 9 <b>of</b> Part A is completed. Both item 9 and the memorandum must signed by the Component Head and dated. Memorandum needed?	be

# PERFORMANCE PLANNING AND EVALUATION/RECERTIFICATION CHECK LIST/DETAILED INSTRUCTIONS (continued)

B. Recertification, Form DD 2573. Must be completed for every career appointee in the SES on June 30 of a recertification year who has completed 3 years of continuous service in the SES except breaks of 6 months or 1 ess. All information should be for the 3-year period immediate y preceding (e.g., for 7/1/88 to 6/30/91).

Classification Division, Personnel and Security Directorate, for covered appointees whose performance is reviewed by the OSD PRB and given to the appropriate OSD components for completion. It will be initiated in personnel offices of Defense Agencies for career appointees whose performance is reviewed by Defense Agency PRB's. The identifying items at the top of the form and the following items under "Factors to be considered in determining if career appointee meets standard" will already be filled in but must be checked by the supervisor: Performance Ratings for previous 2 years, Performance Awards (i.e., bonuses) for previous 2 years, and Presidential rank awards for previous 3 years. The performance rating and bonus for the CURRENT YEAR may NOT be entered until the Secretary of Defense or Defense Agency Director decides on the rating and bonus.

or Defense Agency Director decides on the rating and bonus.			
First. Make a determination as to which of the last three parts of the standard apply to the appointee. Check which apply:  5. Achieving savings?			
6. Maintaining qual ity with reduced resources?	_		
7. Leadership of subordinates?			
Second. Complete the information on the bottom of page 1.  Is information entered in advance correct?  Have any additional awards of the appointee been entered?			
<u>-</u>			
And any professional, educational, or <b>sel</b> f-development activities? Has an entry made under Other Relevant Qualitative Factors (only if) in accord with written policy?			
Third. Has supervisor recommended whether appointee should be recertified, conditional 1 y recertified, or not recertified and, if recommending conditional recertification, whether the appointee's pay should be lowered one level?			
Attached written justification i f not recommending recertification?			
Fourth. Has appointee acknowledged the supervisor's recommendation and, if he/she wishes to (especially if recommendation is negative), provided supplemental written material?			
Fifth. Has a second-level review been made if requested or required?	?		
Sixth. Has reviewing official recommended whether appointee should be recertified, conditionally recertified, or not recertified and, if recommending conditional recertification, whether the appointee's pay level should be lowered?			
Attached justification if recommendation differs from supervisor's?			